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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 4, 1999.

I hereby designate the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend Dr. Ronald F. Christian, Director, Lutheran Social Services of Virginia, Fairfax, Virginia, offered the following prayer:

Almighty God, in this moment of quiet we are acknowledging Your presence in our lives and in our world.

Through the words of Your prophets we are challenged in our deeds, for surely shalom is our greatest need, justice must be our supreme passion, service to our neighbor in need is everyone's responsibility, and gratitude for Your many gifts Your only request.

So we pray, may our actions be molded by Your great love for all people. May our lives be modeled after those heroes and saints who so lived their lives personal that sacrifice was not too great a price to pay. May we commit our actions to the great principles of malice toward none and equality for all. And, may we always be more ready to give mercy than receive it, demonstrate compassion than to be shown it, and offer honor to another than to seek it for ourselves.

Bless, we pray, our day and our deeds. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Nevada (Mr. GIBBONS) come forward and lead the House in the Pledge of Allegiance.

Mr. GIBBONS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

A \$6.5 BILLION HOLE IN THE GROUND

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, do you know that the American taxpayers have spent to date \$6.5 billion over the last 15 years?

You may think this money was spent on new schools for our children, a better military or a down payment to save Social Security. Nope. Sorry.

You may hope the money was spent to give tax cuts to hard working men and women of this country or it was spent on needy families to ensure people move from government reliance and to work with self respect. Sorry again.

Mr. Speaker, this money was used for nothing more than to dig a hole in the ground, \$6.5 billion dollars, and according to the GAO, the Department of Energy has spent more than \$6.5 billion to dig a hole large enough to bury the nuclear industry's high level radioactive garbage. Even more perplexing is that

they are over 12 years behind schedule trying to fit a square peg in a round hole.

Americans know that when you find yourself in a hole, the first rule is to put the shovel down and stop digging.

I urge my colleagues to oppose H.R. 45 and let this money be spent on programs that actually benefit this country.

THE CHILDREN'S EDUCATION TAX CREDIT ACT

(Mr. TANCREDO asked and was given permission to address the House for 1 minute.)

Mr. TANCREDO. Mr. Speaker, at a time when the education of our children ranks as a top concern of the American people and as a top priority of the Congress, we need to look at the innovative proposals that empower parents to give their children the best possible education. Rather than creating new Federal programs run by new Federal bureaucrats, we need to put responsibility and resources in the hands of our Nation's parents.

Today the gentleman from California (Mr. ROGAN) and I are introducing the Children's Education Tax Credit Act. It provides American families with over \$150 billion in help in meeting the unique educational needs of their children.

Our proposal would create a \$1,000 tax credit for elementary and secondary education expenses, including textbooks, tutoring, tuition, and other resources children need to excel in schools.

Too often today parents must make tough choices within the family budget and little extra that can be spent on children's education must instead go to pay the bills. With this tax credit, parents will have the means and the freedom to provide the unique support their children need to learn at their very best.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Mr. Speaker, I urge my colleagues to join the gentleman from California (Mr. ROGAN) and me in making this tax credit for American families a reality.

APPOINTMENT AS DIRECTOR OF CONGRESSIONAL BUDGET OFFICE

The SPEAKER pro tempore. Pursuant to the provisions of section 201(A)(2) of the Congressional Budget and Impoundment Control Act of 1974, Public Law 93-344, the Chair announces that the Speaker and the President pro tempore of the Senate on Wednesday, February 3, 1999, did jointly appoint Mr. Dan L. Crippen as director of the Congressional Budget Office, effective February 3, 1999, for the term of office expiring on January 3, 2003.

MANDATES INFORMATION ACT OF 1999

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 36 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 36

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 350) to improve congressional deliberation on proposed Federal private sector mandates, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII or section 306 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Rules. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Rules now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with section 306 of the Congressional Budget Act of 1974 are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall

rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 36 is an open rule providing for consideration of H.R. 350, the Mandates Information Act of 1999, a bill that will expand the prior 1995 Unfunded Mandates Reform Act to improve congressional deliberation and public awareness on proposed private sector mandates.

H. Res. 36 is a wide open rule providing 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules. The rule waives points of order against consideration of the bill for failure to comply with section 306 of the Congressional Budget Act prohibiting consideration of legislation within the Committee on the Budget's jurisdiction unless reported by the Committee on the Budget. The bill also waives points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII requiring a 3-day layover of the committee report.

The rule considers the amendment in the nature of a substitute recommended by the Committee on Rules, now printed in the bill, as an original bill for the purpose of amendment which is considered as read. The rule provides, further, that it waives points of order against the amendment in the nature of a substitute for failure to comply with section 306 of the Congressional Budget Act.

H. Res. 36 further allows the chairman of the Committee of the Whole to accord priority in recognition to those Members who have preprinted their amendments in the CONGRESSIONAL RECORD prior to their consideration. The rule also allows the chairman of the Committee of the Whole to postpone recorded votes and to reduce to 5 minutes the voting time on any postponed question, provided voting time on the first in any series of questions is not less than 15 minutes.

Finally, the rule provides one motion to recommit with or without instructions, as is the right of the minority.

Mr. Speaker, let me begin by explaining exactly what this bill will do. First, the bill amends the Unfunded Mandates Reform Act to require committee re-

ports to include a statement from the Congressional Budget Office estimating the impact of private sector mandates on consumers, workers and small businesses.

Second, if the CBO cannot prepare an estimate, the bill allows a point of order against consideration of the bill.

Third, if legislation contains a private sector mandate the direct cost of which exceeds \$100 million, this bill also allows a point of order against consideration of the legislation. In both cases the point of order triggers a 20-minute debate on the costs and benefits of a legislative measure before the House votes to continue.

The argument has been made that this bill will result in delaying tactics. Mr. Speaker, the current bill has been in effect for over three years and the point of order has been utilized seven times, four times by Republicans and three times by Democrats. That is a pretty good balance.

Nonetheless, H.R. 350 constrains the Chair from recognizing more than one point of order with respect to a private sector mandate for any bill, joint resolution, amendment, motion or conference report. The one vote limit per legislative measure should provide sufficient opportunity for Members to receive the best available information on the cost of a bill.

Mr. Speaker, the intergovernmental mandates legislation was one of the first bills passed by the 104th Congress and signed into law by President Clinton. That law, designed to provide information about mandates on State and local governments, passed the House with 394 votes and has proven to be quite useful in providing accurate information during the course of floor debate.

I chaired a joint hearing of the two Committees on Rules subcommittees on Tuesday in which we examined H.R. 350 and efforts to expand upon the 1995 Unfunded Mandates Reform Act. We have now had 3 full years to observe how that law has worked, and it has worked well. We heard from the acting director of the congressional Committee on the Budget who stated that the 1995 act had been a useful tool in congressional deliberation. The CBO director said he had been doing mandates estimates for years, but no one really paid any attention to the costs until we passed the 1995 mandates bill.

That is all the Unfunded Mandates Reform Act has done, and that is all that this bill will do. It will force Members to review reliable information from the Congressional Budget Office. This information has increased not only Member consciousness of the costs of legislation, but increased public awareness, and that is why we are here today. In an effort to make the original unfunded mandates legislation a more valuable information tool to advise Members on private sector mandates, the Mandates Information Act has been introduced again in this Congress with over 60 bipartisan cosponsors.